IN THE CLAIMS:

Please amend claims 1, 6, 8-11, 13, 18, 20, 22-23 as follows. Please cancel claims 2-4, and 19 without prejudice or disclaimer.

1. (Currently Amended) A method, comprising:

receiving a speech signal including voice signals and background signals;

detecting voice activity and providing an indicator when no voice activity is detected;

encoding the speech signal to generate a plurality of parameters representing the signal, the plurality of parameters comprising a linear prediction calculation vector of quantized linear prediction filter coefficients, a gain parameter based on open-loop lag value, and a residual vector; and

when the indicator is not present, outputting a first parametric representation of the speech signal comprising the plurality of parameters, and, when the indicator is present, modifying at least one of the plurality of parameters and outputting a second parametric representation of the speech signal including the modified parameter.

2-4. (Cancelled)

5. (Previously Presented) The method according to claim 1, wherein the speech signal is received as a sequence of samples arranged in frames.

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6. (Currently Amended) The method according to claim 5, wherein the modifying the at least one parameter ~~includes~~ comprises smoothing the parameter for a current frame based on characteristics of the parameter in other frames of the speech signal.

7. (Previously Presented) The method according to claim 6, wherein said other frames include adjacent frames.

8. (Currently Amended) The method according to claim 6, wherein the modifying the at least one parameter ~~includes~~ comprises producing a count of the number of received frames up to a predetermined maximum, and using said count in the modifying step.

9. (Currently Amended) The method according to claim 1, wherein the modifying the at least one parameter ~~includes~~ comprises generating a randomized value for the parameter.

10. (Currently Amended) The method according to claim 1, wherein the modifying the at least one parameter ~~includes~~ comprises taking into account the energy levels associated with the parameter.

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11. (Currently Amended) The method according to claim 1, wherein the modifying the at least one parameter ~~includes~~ comprises modifying a value utilized in the generation of the parameter, whereby modification of that value produces a modified parameter.

12. (Previously Presented) The method according to claim 11, wherein the modifying the value comprises randomizing the value.

13. (Currently Amended) An apparatus, comprising:

an input configured to receive a speech signal including voice signals and background signals;

a voice activity detector configured to detect voice activity and to provide an indicator when no voice activity is detected;

an encoder configured to encode the speech signal to generate a plurality of parameters representing the signal, the plurality of parameters comprising of a linear prediction calculation vector of quantized linear prediction filter coefficients, a gain parameter based on open-loop lag value, and a residual vector;

modifying circuitry configured to modify, when the indicator is present, at least one parameter of the plurality of parameters; and

an output configured to output a first parametric representation of the speech signal when the indicator is not present, the first parametric representation comprising the

plurality of parameters, and configured to output a second parametric representation of the speech signal when the indicator is present, the second parametric representation comprising the modified parameter.

14. (Previously Presented) The apparatus according to claim 13, wherein the input is configured to receive the speech signal as a sequence of samples arranged in frames, and wherein the modifying circuitry is configured to smooth the parameter for a current frame based on characteristics of the parameter in other frames of the speech signal.

15. (Previously Presented) The apparatus according to claim 13, wherein the input is configured to receive the speech signal as a sequence of samples arranged in frames, and wherein the modifying circuitry is configured to produce a count of the number of received frames to a predetermined maximum, and is configured to use the count in the modifying the parameter.

16. (Previously Presented) The apparatus according to claim 13, wherein the modifying circuitry is configured to generate a randomized value for the parameter.

17. (Previously Presented) The apparatus according to claim 13 wherein the modifying circuitry is configured to take into account energy levels associated with the parameter.

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18. (Currently Amended) An apparatus, comprising:

receiving means for receiving a speech signal including voice signals and background signals;

detecting means for detecting voice activity and providing an indicator when no voice activity is detected;

encoding means for encoding the speech signal to generate a plurality of parameters representing the signal, the plurality of parameters comprising a linear prediction calculation vector of quantized linear prediction filter coefficients, a gain parameter based on open-loop lag value, and a residual vector; and

outputting means for, when said indicator is not present, outputting a first parametric representation of the speech signal comprising said plurality of parameters, and, when the indicator is present, modifying at least one of the parameters and outputting a second parametric representation of the speech signal including the modified parameter.

19. (Cancelled)

20. (Currently Amended) A network entity, comprising:

an input configured to receive a speech signal including voice signals and background signals;

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a voice activity detector configured to detect voice activity and to provide an indicator when no voice activity is detected;

an encoder configured to encode the speech signal to generate a plurality of parameters representing the signal, the plurality of parameters comprising a linear prediction calculation vector of quantized linear prediction filter coefficients, a gain parameter based on open-loop lag value, and a residual vector;

modifying circuitry configured to modify, when the indicator is present, at least one parameter of the plurality of parameters; and

an output configured to output a first parametric representation of the speech signal when the indicator is not present, the first parametric representation comprising the plurality of parameters, and configured to output a second parametric representation of the speech signal when the indicator is present, the second parametric representation comprising the modified parameter.

21. (Previously Presented) The network entity according to claim 20, which comprises a mobile terminal.

22. (Currently Amended) A computer program comprising a code sequence which, when executed on a computer, encodes speech by implementing a method. the method comprising:

receiving a speech signal including voice signals and background signals;

detecting voice activity and providing an indicator when no voice activity is detected;

encoding the speech signal to generate a plurality of parameters representing the signal, the plurality of parameters comprising a linear prediction calculation vector of quantized linear prediction filter coefficients, a gain parameter based on open-loop lag value, and a residual vector; and

when the indicator is not present, outputting a first parametric representation of the speech signal comprising the plurality of parameters, and, when the indicator is present, modifying at least one of the plurality of parameters and outputting a second parametric representation of the speech signal including the modified parameter.

23. (Currently Amended) A ~~communications~~ system, comprising:

an input unit configured to receive a speech signal including voice signals and background signals;

a voice activity ~~detection unit~~ detector configured to detect voice activity and to provide an indicator when no voice activity is detected;

an encoder ~~unit~~ configured to encode the speech signal to generate a plurality of parameters representing the signal, the plurality of parameters comprising a linear prediction calculation vector of quantized linear prediction filter coefficients, a gain parameter based on open-loop lag value, and a residual vector;

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a modifying unit configured to modify, when the indicator is present at least one of the parameters; and

an output unit configured to output, when the indicator is not present, a first parametric representation comprising said plurality of parameters, and to output a second parametric representation of the speech signal when the indicator is present, the second parametric representation comprising the modified parameter.

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